

LIBER 5 PAGE 384
COUNTY COUNCIL

BILL NO. 79-28
AS AMENDED

OF
HARFORD COUNTY, MARYLAND

BILL NO. 79-28 (AS AMENDED)

Introduced by Council Members Spry & Hutchins

Legislative Day No. 79-19 Date: June 12, 1979

AN EMERGENCY ACT to add new Article IV, heading, Agricultural Land Preservation Districts, to Chapter 25, heading, Zoning, of the Harford County Code; to provide for establishing agricultural land preservation districts in Harford County; to provide for protection of normal agricultural activities in such districts; to generally provide for notification, approval, and agreements necessary to establish agricultural land preservation districts.

By the Council, June 12, 1979

Introduced, read first time, ordered posted and public hearing scheduled

on: July 10, 1979

at: 7:00 P.M.

By Order: Angela Markowski, Secretary

PUBLIC HEARING

Having been posted and Notice of time and place of hearing and Title of Bill having been published according to the Charter, a public hearing was held on July 10, 1979 and concluded on July 10, 1979.

Angela Markowski, Secretary

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1 WHEREAS, the Agriculture Article, Sections 2-501
2 through 2-515, of the Annotated Code of Maryland, established the
3 Maryland Agricultural Land Preservation program; and

4 WHEREAS, Harford County, Maryland, contains productive
5 agricultural land and has appointed a Harford County Agricultural
6 Preservation Advisory Board in accordance with the Agriculture
7 Article Section 2-504.1 on March 21, 1978, this satisfying County
8 eligibility requirements for the voluntary participation of
9 Harford County landowners whose land meets eligibility criteria
10 established by Maryland Agricultural Land Preservation Foundation
11 Regulations and any locally adopted criteria, as hereinafter
12 adopted; and

13 WHEREAS, Harford County desires to provide for the
14 voluntary establishment of and protections for Agricultural
15 Preservation Districts and for the voluntary sale of development
16 rights easements on eligible agricultural lands within the County.

17 NOW, THEREFORE,

18 Section 1. *Be It Enacted By The County Council of Harford*
19 *County, Maryland*, that new Article IV, heading, Agricultural Land
20 Preservation Districts, be, and it is hereby added to Chapter 25,
21 heading, Zoning, of the Harford County Code, all to read as
22 follows:

23 ARTICLE IV. AGRICULTURAL LAND PRESERVATION DISTRICTS.

24 CHAPTER 25. ZONING.

25 Section 25.52. Agricultural Land Preservation Districts -
26 Protection of Normal Agricultural Activities.

27 In accordance with the Agriculture Article, Sections 2-501
28 through 2-515, of the Annotated Code of Maryland, Agricultural
29 Land Preservation Districts may be established in Harford County.
30 Such Districts shall provide for the protection of normal agri-
31 cultural activities in the Districts through the following
32 provisions: WHICH ARE:

1 THE USE OF LAND FOR AGRICULTURAL PURPOSES, INCLUDING FARMING,
2 DAIRYING, PASTURAGE, APICULTURE, HORTICULTURE, FLORICULTURE,
3 VITICULTURE, ANIMAL AND POULTRY HUSBANDRY, SILVICULTURE, AND THE
4 SALE OF AGRICULTURAL PRODUCTS PRODUCED ON THE FARM WHERE THE
5 SALES ARE MADE.

6 NOTHING IN THIS SECTION SHALL PRECLUDE THE OPERATION OF
7 FARM MACHINERY USED IN AGRICULTURAL PRODUCTION.

8 (a) Any agricultural use of land is as permitted in
9 accordance with all County rules, regulations and laws.

10 (b) Operation at any time of machinery used in farm
11 production or the primary processing of agricultural products is
12 permitted.

13 (c) Normal agricultural activities and operations in
14 accordance with good husbandry practices, which do not cause
15 bodily injury or directly endanger human health, are permitted
16 and preferred activities including activities which may produce
17 normal agriculturally-related noise and odors.

18 (d) The sale of agricultural products produced on the
19 farm where the sales are made is permitted.

20 These provisions are applicable to all Harford County
21 Agricultural Land Preservation Districts established in accordance
22 with the Agriculture Article, Sections 2-501 through 2-515, of
23 the Annotated Code of Maryland.

24 (e) Lot(s) for family conveyance shall be a maximum of
25 one (1) acre; shall be approved by the Foundation; and shall be
26 subject to the following yard requirements: Lot Width (at the
27 building line) - 150 ft. -- Front Yard Depth -- 40 ft. -- Side
28 Yard Width (each side yard) - 20 ft. -- Rear Yard Depth - 50 ft.
29 Section 25.53. Agricultural Land Preservation Districts -
30 Official Maps.

31 Official maps of Agricultural Land Preservation Districts
32 shall be kept with the Department of Planning and Zoning and

1 shall be revised from time to time to reflect the establishment,
2 alteration, and abolition of Agricultural Land Preservation
3 District boundaries. The official maps shall be made current at
4 least once a year by June 30th of each year and shall be published
5 at the same scale as the Department of Assessment and Taxation
6 tax maps.

7 Section 25.54. Agricultural Land Preservation Districts -
8 Establishment.

9 In accordance with the Agriculture Article Sections 2-501
10 through 2-515 of the Annotated Code of Maryland and with Maryland
11 Regulations 15.17.01, Agricultural Land Preservation District
12 establishment shall be accomplished by this Act, only upon formal
13 notification to the County Council of Harford County by the
14 Maryland Agricultural Land Preservation Foundation that a district
15 has been established in Harford County. Such notification shall
16 include a copy of the Agricultural Land Preservation District
17 Agreement signed by all parties and as recorded among the land
18 records of Harford County.

19 All such District Agreements together with property descrip-
20 tions shall be maintained in an official file and be available at
21 the Office of the Director of Administration.

22 Section 2. *And Be It Further Enacted*, that if any section,
23 clause, phrase, word, provision or particular application of this
24 Act is for any reason held invalid or unconstitutional by any
25 Court of competent jurisdiction, such section, clause, phrase,
26 word, provision or particular application shall be deemed a
27 separate, distinct and independent provision or application and
28 such holding shall not affect the validity of the remaining
29 provision or subsequent application thereof.

30 Section 3. *And Be It Further Enacted*, that this Act is hereby
31 declared to be an Emergency Act, necessary for the preservation
32 of vital agricultural land in Harford County.

EFFECTIVE: July 10, 1979

79-28

AS AMENDED

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BY THE COUNCIL

Read the third time.

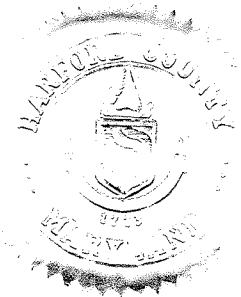
Passed LSD 79-22 (July 10, 1979) (with amendments)

~~Failed of Passage~~

By order

Angela Markowski, Secretary

Sealed with the County Seal and presented to the County Executive
for his approval this 10th day of July, 19 79
at 8:30 o'clock P.M.



Angela Markowski, Secretary

BY THE EXECUTIVE

APPROVED:

[Signature]
County Executive
Date July 10, 1979

BY THE COUNCIL

This Bill, having been approved by the Executive
and returned to the Council, becomes law on July 10, 1979.

Angela Markowski, Secretary

EFFECTIVE DATE: July 10, 1979

Rec'd & Recorded 8/1 1979 at 3:20 P.M.
HDC Liber 5 Folio 384 & examined per
H. Douglas Chilcoat, Clerk, Harford Co.

79-28

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